

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

TANUA WALLACE,
as Administrator of the Estate of
Frankie Junior Jennings,

Plaintiff,

v.

CIVIL ACTION NO. 3:24-cv-00338-TEJ

UNITED STATES OF AMERICA, et al.,

Defendants.

ORDER AND NOTICE

The Court hereby **VACATES** the initial scheduling order entered in this case on April 8, 2024, and **ORDERS** the case to proceed as follows:

- 08/05/2024** Motion Under FR Civ P 12(b), together with supporting briefs, memoranda, affidavits, or other such matter in support thereof. (All motions unsupported by memoranda will be denied without prejudice.)
- 08/19/2024** Last day for Rule 26(f) meeting.
- 08/26/2024** Last day to file Report of Parties' Planning Meeting and Scheduling Order Worksheet, available on the court's website.
- 08/30/2024** Telephonic Scheduling Conference at **11:00 a.m.**, before the undersigned, unless canceled.
- 09/04/2024** Entry of Scheduling Order.
- 09/13/2024** Last day to serve FR Civ P 26(a)(1) disclosures.

NOTICE

The provision of FR Civ P 14 and 15 with respect to the time in which to file third-party claims and to amend pleadings without leave of court are not affected by this Order and Notice.

Pursuant to LR Civ P 16.1 and 73.1, the parties are informed of their opportunity to consent to the exercise by a magistrate judge of civil jurisdiction over the case, including entry of judgment, as authorized by 28 U.S.C. § 636. The parties may consent by filing a Consent to Jurisdiction by a United States Magistrate Judge (FR Civ P Form 34), or by so indicating on the Report of Parties' Planning Meeting and Scheduling Order Worksheet.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: July 24, 2024



THOMAS E. JOHNSTON, CHIEF JUDGE